REMARKS

Claims 1-5 were pending in the application. Claims 1-5 have been amended. No claims have been canceled or added. Therefore, claims 1-5 are now pending in the application. Reconsideration of the application is requested for at least the reasons that follow.

Information Disclosure Statement

Applicant filed an Information Disclosure Statement (IDS) on July 24, 2002 (A1-A3) and respectfully requests the Examiner to initial the PTO/SB/08 form.

Rejections

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No. 5,362,187 ("Scalise"). The rejection should be withdrawn because Scalise fails to disclose, teach or suggest the claimed invention. For example, Scalise does not disclose, teach or suggest an "airbag including a fabric sheet ... in which the fabric sheet is attached to the vehicle body by inserting a threaded fastener through a hole of the fabric sheet and screwing the fastener into a fastening hole formed in the vehicle body," as called for in amended claim 1. Scalise only shows a fastener 12 screwed into nut 14. *See* Scalise at Figs. 5 and 6. The fastener 12 of Scalise is clearly not screwed into "a fastening hole formed in the vehicle body." Further, the Office Action refers to Figure 6 of Scalise to show a fabric sheet. However, the indicated section is merely a grommet 54. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

Claims 2-4 depend from claim 1 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable subject matter set forth in these dependent claims.

For example, Scalise does not disclose, teach or suggest "wherein the spacer includes a tacking member," as recited in claim 4. The Office Action states that the "spacer includes a tacking member" and references Figure 6 of Scalise. *See* Office Action at p. 4 and Attachment to Office Action. However, the item referred to as the "tacking member" in

Figure 6 is clearly part of the fastener. *Compare* Scalise at Fig. 6, *with* Attachment to Office Action. Figure 6 shows "a bolt 12 with a threaded fastener 74 ... The threaded base 74 screws into the substrate." Scalise at col. 5, line 8-9. The spacer does not include a tacking member in Scalise. On the contrary, the fastener of Scalise includes the item referred to as a "tacking member" and, therefore, reconsideration and withdrawal of the rejection is respectfully requested.

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Nos. 6,508,486 ("Welch") and 3,091,795 ("Budwig"). Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Welch in view of U.S. Patent No. 6,450,529 ("Kalandek"). Claims 2, 3 and 5 depend from claim 1. The rejection of independent claim 1 should be withdrawn at least because a prima facie case of obviousness has not been made. The references, taken together or separately, do not disclose, teach or suggest each and every element of claim 1. For example, Welch, Budwig and Kalandek fail to disclose, teach or suggest an "airbag including a fabric sheet ... wherein the spacer is configured to rotate within the hole of the fabric sheet," as recited by claim 1.

Welch merely discloses a hole (47) with a reinforced area that includes a grommet or reinforced area. *See* Welch at col. 5, lines 3-6. Budwig does not cure the deficiencies of Welch. Budwig also teaches a grommet. There is no disclosure in Budwig that the grommet rotates within a hole. Kalandek also fails to cure the deficiencies of Welch and Budwig. Kalandek merely discloses an inflatable side airbag curtain restraint system. The system includes tabs (39) with holes (40) for connecting the airbag (22) to the roof rail (38) of a vehicle. Kalandek does not disclose, teach or suggest a "spacer." Therefore, Welch, Budwig and Kalandek, separately or together, fail to disclose, teach or suggest the subject matter of independent claim 1. Reconsideration and withdrawal of the rejections is respectfully requested.

Conclusion

Favorable reconsideration of the application, as amended, is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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